

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.

Plaintiff,

V.

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILLICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR

Defendants.

Civil Action No. 04-10353 PBS

MOTION TO FILE MEMORANDUM UNDER SEAL

Pursuant to Local Rule 7.2 and paragraph 14 of the parties' Protective Order, ScanSoft, Inc. moves for an order granting leave to file under seal the Memorandum in Support of ScanSoft, Inc.'s Motion for Reconsideration of Court's Neutral Expert Procedure, filed concurrently by hand.

As grounds for the motion, ScanSoft states that the Memorandum cites to Documents produced by VST marked HIGHLY CONFIDENTIAL and attaches these documents as Exhibits 2, 3, 4, 5, 6. In addition, the Memorandum cites to the June 16, 2005 deposition testimony of Mr. Manfred G. Grabherr and attaches as Exhibit 7 excerpts from the transcript of that deposition. The Protective Order requires that “[a]ll deposition testimony shall be treated as ‘HIGHLY CONFIDENTIAL’ until the 15th day after the transcript is received from the court reporter.” Protective Order, ¶ 3(d).

Pursuant to the terms of the proposed Protective Order, ScanSoft moves that the Memorandum be placed under seal in the envelope provided and that impoundment continue

pursuant to Rule 7.2 and the terms of the Protective Order. Alternatively, should the Court deny this motion to file under seal, ScanSoft respectfully requests that the Memorandum be treated as filed in the regular course and placed in the public record. Because ScanSoft does not believe Mr. Grabherr's testimony reveals any confidential information, in an effort to avoid needlessly seeking the impoundment of these materials, ScanSoft contacted counsel for Voice Signal and requested confirmation that Mr. Grabherr's testimony is not, in fact, Highly Confidential. However, VST maintains that the testimony is confidential.

CERTIFICATE PURSUANT TO CIVIL LOCAL RULE 7.1

I hereby certify that on July 1, 2005, I contacted counsel for Voice Signal to resolve the issues presented in this motion

Dated: July 1, 2005

SCANSOFT, INC.,
By its attorneys,

/s/ Jack C. Schechter
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